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Company of America

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

PORTLAND DIVISION

BERNADINE WALLIN,

Plaintiff,

v.

**NATIONWIDE INSURANCE
COMPANY OF AMERICA**, an Ohio
corporation,

Defendant.

Civil No.: 3:18-CV-454

NOTICE OF REMOVAL

(Multnomah County Circuit Court Case
No. 18CV04025)

PLEASE TAKE NOTICE that pursuant to 28 U.S.C. § 1332, 28 U.S.C. § 1441(b),
and 28 U.S.C. § 1446, defendant Nationwide Insurance Company of America files its Notice
of Removal on the following grounds:

1. Defendant is named in a civil action filed in the Circuit Court for the State of
Oregon, for the County of Multnomah, entitled *Bernadine Wallin v. Nationwide Insurance*

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Company of America, an Ohio corporation, Case No. 18CV04025. Defendant is an Ohio corporation with its principal place of business in Ohio.

2. The state court action commenced when plaintiff's Complaint was filed with the Court Clerk of Multnomah County, Oregon, on or about February 2, 2018. Defendant first had notice of the lawsuit on February 15, 2018. Service of the Summons and Complaint on defendant was completed on February 15, 2018. This Removal petition is timely, in that it is being filed within 30 days of the filing and service of the Summons and Complaint.

3. The following pleadings constitute all of the process, pleadings, and orders received by defendants in this action to date: The Complaint and Affidavit of Service (with Summons), true copies of which are attached as Exhibit A.

4. The controversy between plaintiff and defendant is a controversy between citizens of different states. Plaintiff Bernadine Wallin is an Oregon resident, whereas defendant is an Ohio corporation with its principal place of business in Ohio.

5. The above-entitled action is a civil action alleging breach of insurance contract sustained by plaintiff due to property damage incurred by a fire which occurred on March 27, 2017. In this action, plaintiff seek an award of economic damages in the amount of \$209,424.50, and attorney fees and costs.

6. Thus the amount in controversy in this matter exceeds \$75,000, exclusive of interest and costs, and is one where complete diversity exists between the plaintiff and the defendant.

7. This is a civil action over which this Court has original jurisdiction pursuant to 28 U.S.C. § 1332, and the action is removable pursuant to 28 U.S.C. § 1446(b).

Defendant is currently filing a Notice to state court of Removal to Federal Court with the Clerk of the Multnomah County Circuit Court, in accordance with 28 U.S.C. § 1446(d).

DATED: March 15, 2018

BULLIVANT HOUSER BAILEY PC

By */s/ Ronald J. Clark*
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